

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROSEMARIE ANNE SCOTELLARO,

Plaintiff,

vs.

CAROLYN W. COLVIN,

Defendant.

Case No. 2:13-cv-00696-GMN-PAL

ORDER

(Mtn to Serve - Dkt. #9)

This matter is before the court on Plaintiff Rosemarie Anne Scottellaro's Motion to Serve Party with Summons and Complaint (Dkt. #9) filed June 18, 2013. The court has considered the Motion.

On April 24, 2013, Plaintiff filed an Application to Proceed In Forma Pauperis (Dkt. #1). In an Order (Dkt. #3) entered April 30, 2013, the court granted Plaintiff's Application and screened the Complaint (Dkt. #4) pursuant to 28 U.S.C. § 1915. The court directed the Clerk of the Court to issue summons and serve the United States Attorney and the Commissioner of the Social Security Administration with process by certified mail. *See* Order (Dkt. #3). The Clerk complied, issued Summons (Dkt. ##5), and served the U.S. Attorney and the Commissioner by certified mail pursuant to Rule 4 of the Federal Rules of Civil Procedure. *See* Certified Mail Receipts (Dkt. #6); Summons Returned Executed (Dkt. ##7, 8).

The court also directed the Clerk to issue summons to the U.S. Attorney for the District of Nevada. The Clerk complied. *See* Summons (Dkt. #5). The court directed the U.S. Marshal to serve the Summons and Complaint on the U.S. Attorney for the District of Nevada. Although the Clerk hand delivered the Summons and Complaint to the U.S. Marshal for service on May 1, 2013, no proof of service has been filed as to the U.S. Attorney for the District of Nevada. Plaintiff, therefore, requests

///

1 the Clerk re-issue Summons and deliver it to the U.S. Marshal to serve the U.S. Attorney for the
2 District of Nevada.

3 Having reviewed and considered the matter, and good cause appearing,

4 **IT IS ORDERED:**

- 5 1. Plaintiff's Motion to Serve (Dkt. #9) is GRANTED.
- 6 2. The Clerk of Court shall re-issue summons to the United States Attorney for the District
7 of Nevada and shall deliver the same and the Complaint to the U.S. Marshal for service.
- 8 3. The U.S. Marshal shall serve the Complaint and summons on the U.S. Attorney for the
9 District of Nevada.
- 10 4. The U.S. Marshall shall submit proof of service of process to the Clerk of Court for
11 filing no later than **July 31, 2013.**

12 Dated this 10th day of July, 2013.

13
14
15 
16 PEGGY A. TEEN
17 UNITED STATES MAGISTRATE JUDGE
18
19
20
21
22
23
24
25
26
27
28